

REMARKS

This is in response to the Office Action mailed on March 31, 2006. Claims 1, 6, 7, 9, 10, 41-47 and 49 have been amended, and claims 39, 40 and 48 have been cancelled. The application now includes claims 1, 4-7, 9, 10, 41-47 and 49.

The Office Action objected to claims 6 and 7 as being dependent upon cancelled claim 2. Both claims 6 and 7 were amended to depend from claim 1.

Claim 7 was also objected to because isophthalic was misspelled. Claim 7 has been amended to include the correct spelling of isophthalic.

Claim 46 was also objected to because it was identical to claim 10. Claim 46's dependency has been changed to claim 44.

Claims 1, 4, 6, 7, 9, 10 and 34-49 were rejected under 35 § 102(b) as being anticipated by Kobayashi et al. U.S. Patent No. 5,643,659 as evidenced by Rinz U.S. Patent No. 6,040,391 and the list of organic solid and co-polyester resins (internet printout).

Claim 1 has been amended to include the subject matter of claims 39 and 40, that is, that the layers comprising the decorative transfer are crosslinkable. This includes a crosslinkable ink film, a gel coat that is crosslinkable having a crosslinkable tacky unsaturated polyester resin. When the decorative transfer of the present invention is adhered to the inner surface of a mold, and the mold is then filled with resin to produce the product for containing the decorative transfer. The decorative transfer due to the components as now defined in independent claim 1, crosslink with the resin for producing the product such that the decorative transfer becomes an integral part of the molded product.

The Kobayashi et al. U.S. Patent No. 5,643,659 neither teaches nor suggests such a decorative transfer.

As clearly indicated in the examples of the Kobayashi et al. patent, the transfer disclosed in Kobayashi et al. is simply a heat transfer. The heat transfer printing sheet of Kobayashi et al. includes a hot-melt binder and as such, the binder does not become part of the product which is transferred which as would be the case using a crosslinkable gel layer. The transfer of Kobayashi et al. is secured through adhesive means (hot-melt binder) and does not become an internal part of the

product to which it is adhered.

The citation of the Rinz patent is not understood since it is not explained how the disclosure in Rinz relates to the disclosure of Kobayashi et al. First, the rejection is under 35 U.S.C. § 102(b) as an anticipation. Typically, a rejection under 35 U.S.C. § 1.2(b) is within the four corners of one document. The relationship between the three references cited under an anticipation rejection is not understood. Second, the polymer referred to by the Office Action that is described in the examples of Kobayashi et al. is Vylon 200 is a saturated polyester. (See for example, example 1 in U.S. Patent No. 4,069,487 which describes Vylon 200 in more detail). As a saturated polyester resin, Vylon 200 has no crosslinking properties. In view of this it is not seen what relevance the Rinz patent, especially column 2, lines 35-59 which discuss in general the makeup of unsaturated polyesters has to do with Kobayashi et al.

Similarly, independent claims 41, 42, 43, 44, 47 and 49 have also been amended to state that the layers that comprise a decorative transfer of the present invention are crosslinkable. Dependent claim 48 has been cancelled because of the amendment to claim 47. For the same reasons as discussed above with regard to claim 1, independent claims 41, 42, 43, 44, 47 and 49 and their respective dependent claims are also neither taught nor suggested by the Kobayashi et al. patent alone or in combination with the Rinz patent and the list of organic solid and co-polyester resins (Internet printout).

The Office Action rejected claims 44, 43 and 47-49 under 35 U.S.C. § 102 as being anticipated by Yamauchi et al. U.S. Patent No. 5,387,013. The Office Action indicated that Yamauchi et al. discloses a transfer media comprising a substrate, a design layer and an adhesive layer wherein the design layer comprises carbon black. It was alleged that the design layer is equivalent to the claimed ink film, the adhesive layer is equivalent to the claimed tacky resin, and the carbon black is equivalent to the claimed pigment.

Claims 44, 43, 47 and 49 have been amended to state that the layers comprising the transfer of the present invention are crosslinkable layers. In contrast, the Yamauchi et al. patent describes a heat transfer decorative layer (see abstract). The Yamauchi et al. patent neither teaches nor suggests a crosslinkable ink in which the image crosslinks to the resin comprising the product.

The ink layer of Yamauchi et al. is a hot meltable ink layer (column 6, lines 59-60). In view of this, it is requested that the rejection under 35 U.S.C. § 102(b) as being anticipated by Yamauchi et al. be withdrawn, and claims 44, 43, 47 and 49 be withdrawn and the claims allowed.

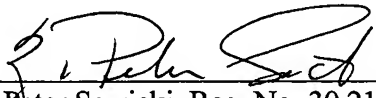
The Office Action also rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Kobayashi et al. U.S. Patent No. 5,643,659. However, claim 5, depends from claim 1, and claim 1 has been amended to state that the layers in the transfer are crosslinkable, claim 5 is also allowable for the same reasons. In view of this, it is respectfully requested that the rejection of claim 5 be reconsidered and the claim allowed.

It is believed that all of the claims in this application are now in allowable form. Reconsideration and allowance of all of the claims are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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